



UNITED STATES PATENT AND TRADEMARK OFFICE

FEB 15 2005

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NUMBER | RECEIVED<br>TRADEMARK OFFICE<br>CIV | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|-------------------------------------|------------------------|-----------------------|------------------------|
| 10/736,994         |                                     | 12/15/2003             | Edward L. Paul JR.    | 2C03.1-330             |

**CONFIRMATION NO. 6442**

**FORMALITIES LETTER**



\*OC000000014332308\*

23506  
GARDNER GROFF, P.C.  
PAPER MILL VILLAGE, BUILDING 23  
600 VILLAGE TRACE  
SUITE 300  
MARIETTA, GA 30067

Date Mailed: 11/10/2004

**02/16/2005 FMETEK11 00000020 50153 1075995 NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)**

01 FC:1251 -120.00 DP  
02 FC:1001 790.00 DP  
03 FC:1051 130.00 DP  
04 FC:1201 208.00 DP 1192.00 DP  
05 FC:1202 The U.S. Patent and Trademark Office has received your reply on 09/10/2004 to the Notice to File Missing Parts (Notice) mailed 11/09/2004 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

***Filing Date Granted***

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application. Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 790 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- Late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 was not received.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$1192 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

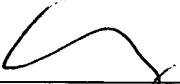
Total additional fee(s) required for this application is \$2112 for a Large Entity

- **\$790** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$1192**
  - **\$616** for **7** independent claims over **3**.
  - **\$576** for **32** total claims over **20**.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 1 - ATTORNEY/APPLICANT COPY



Serial No.: 10/736,994  
Attorney Docket No.: 2C03.1-332  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: PAUL, Edward L. Jr. )  
Serial No.: 10/736,994 ) Group Art Unit: 3762  
Filing Date: December 15, 2003 ) Examiner: N/A  
For: **“METHOD AND APPARATUS FOR**  
**PERFORMING MICROCURRENT**  
**STIMULATION (MSC) THERAPY”** )  
\_\_\_\_\_  
)

**RESPONSE TO NOTICE TO FILE MISSING PARTS AND**  
**NOTICE OF INCOMPLETE REPLY**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

GARDNER GROFF, P.C.  
100 Parkwood Point  
2018 Powers Ferry Road  
Suite 800  
Atlanta, Georgia 30339

February 10, 2005

Dear Sir:

Please note that the formal drawings submitted to the Patent Office on September 7, 2004 were not filed in response to the Notice to File Missing Parts, as indicated in the Notice of Incomplete Reply dated November 10, 2004. The Notice to File Missing Parts was not mailed until November 10, 2004, after the formal drawings had been submitted.

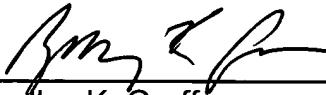
Please find enclosed in response to the Notice to File Missing Parts of Non-provisional Application and Notice of Incomplete Reply dated November 10, 2004:

- One copy of Notice to File Missing Parts of Non-Provisional Application
- Once copy of Notice of Incomplete Reply
- Petition for Extension of Time for One Month
- An executed Declaration and Power of Attorney

- Additional copies of the formal drawings
- Return Postcard plus postage
- Credit Card Payment Form for \$2,232 for Basic Filing Fee, Additional Claims, Missing Parts Surcharge and One Month Extension of Time

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number **50-1513**. This Response is believed to be timely. However, if any extension of time is necessary, please consider this a request therefor.

Respectfully submitted,



\_\_\_\_\_  
Bradley K. Groff  
Reg. No. 39,695

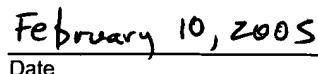
GARDNER GROFF, P.C.  
100 Parkwood Point  
2018 Powers Ferry Road  
Suite 800  
Atlanta, Georgia 30339  
Tel: (770) 984-2300  
Fax: (770) 984-0098

W:\Client Files\BKG\Clients\2C03-CIBA\2C03.1-332 Method and Apparatus for Performing Microcurrent Stimulation (MSC) Therapy (NonProv)\0028.pat (Response to Notice to File Missing Parts & Incomplete Reply).wpd

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below:

  
\_\_\_\_\_  
Bradley K. Groff

  
\_\_\_\_\_  
February 10, 2005  
Date



## UNITED STATES PATENT AND TRADEMARK OFFICE

FEB 15 2005

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C  
CO

UNITED STATES DEPARTMENT OF COMMERCE  
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 MARIETTA, GA 30067

## CONFIRMATION NO. 6442

## FORMALITIES LETTER



\*OC000000014323831\*

Date Mailed: 11/10/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 790 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 1-5B.
  - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 2-3C.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$1192** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

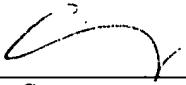
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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE